

**BEFORE THE EVIDENTIARY PANEL OF THE  
STATE BAR DISTRICT NO. 4B3 GRIEVANCE COMMITTEE**

**COMMISSION FOR LAWYER DISCIPLINE,**

**Petitioner,**

**v.**

**CHARLIE J. DEAN,**

**Respondent.**

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**D0090527811 [DON PECK]**

**HARRIS COUNTY, TEXAS**

**AGREED JUDGMENT OF ACTIVE SUSPENSION**

**Parties and Appearance**

On this day, came to be heard the above styled and numbered cause. Petitioner, the COMMISSION FOR LAWYER DISCIPLINE, and Respondent, **CHARLIE J. DEAN** (hereinafter referred to as "Respondent"), Texas Bar Number 00790008, announce that an agreement has been reached on all matters including the imposition of an Active Suspension.

**Jurisdiction and Venue**

The Evidentiary Panel 4B3 having been duly appointed to hear this complaint by the chair of the Grievance Committee for State Bar of Texas District 4B, finds that it has jurisdiction over the parties and the subject matter of this action, and that venue is proper.

**Professional Misconduct**

The Evidentiary Panel, having considered the pleadings, admissions, stipulations and agreements of the parties, finds Respondent has committed Professional Misconduct as defined by Rule 1.06(V) of the TEXAS RULES OF DISCIPLINARY PROCEDURE.

### **Findings of Fact**

Petitioner and Respondent agree to the following findings of fact. Accordingly, the Evidentiary Panel finds:

1. Respondent is an attorney licensed to practice law in Texas and is a member of the State Bar of Texas.
2. Respondent resides in and maintains his principal place of practice in Harris County, Texas.
3. On September 16, 2002, Don Peck (hereinafter referred to as "Complainant") hired Respondent for representation in two (2) workers' compensation claims arising from separate injuries that occurred on or about July 25, 2002, and August 6, 2002, respectively.
4. Throughout the representation, Complainant submitted mileage and expense statements to Respondent for forwarding to the TWCC for reimbursement purposes.
5. Complainant did not receive reimbursement for all expenses requested and asked Respondent to furnish him with copies of all reimbursement forms filed on his behalf; however, Respondent failed to respond to Complainant's request.
6. The Chief Disciplinary Counsel of the STATE BAR OF TEXAS has incurred reasonable attorneys' fees and direct expenses associated with this Disciplinary Proceeding in the amount of One Thousand One Hundred Fifty-Three and 25/100 Dollars (\$1,153.25).
7. Respondent owes restitution in the amount of Two Thousand Six Hundred Seventy-Five and No/100 Dollars (\$2,675.00) payable to Complainant.

### **Conclusions of Law**

Petitioner and Respondent agree that, based on the foregoing findings of fact, the following TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT have been violated. Accordingly, the Evidentiary Panel concludes the following rule of the TEXAS DISCIPLINARY RULES OF PROFESSIONAL CONDUCT has been violated: **Rule 1.03(a)** [a lawyer shall keep a client reasonably informed about the status of a matter and promptly comply with reasonable requests for information.

**Sanction**

It is **AGREED** and **ORDERED** that the sanction of an Active Suspension shall be imposed against Respondent in accordance with the TEXAS RULES OF DISCIPLINARY PROCEDURE.

Accordingly, it is **ORDERED**, **ADJUDGED** and **DECREED** that Respondent shall be actively suspended from the practice of law for a period of three (3) months beginning June 1, 2008, and ending August 31, 2008.

**Terms of Active Suspension**

It is further **ORDERED** that during the term of active suspension ordered herein, Respondent shall be prohibited from practicing law in Texas; holding himself out as an attorney at law; performing any legal services for others; accepting any fee directly or indirectly for legal services; appearing as counsel or in any representative capacity in any proceeding in any Texas or Federal court or before any administrative body; or holding himself out to others or using his name, in any manner, in conjunction with the words "attorney at law," "attorney," "counselor at law," or "lawyer."

It is further **ORDERED** that, on or before July 15, 2007, Respondent shall notify each of Respondent's current clients in writing of this suspension.

In addition to such notification, it is further **ORDERED** Respondent shall return any files, papers, unearned monies and other property belonging to current clients in Respondent's possession to the respective clients or to another attorney at the client's request.

It is further **ORDERED** Respondent shall file with the STATE BAR OF TEXAS, 6300 La Calma, Suite 300, Austin, Texas 78752, on or before July 15, 2007, an affidavit stating all current clients have been notified of Respondent's suspension and that all files, papers, monies and other property belonging to all current clients have been returned as ordered herein.



It is further **ORDERED** Respondent shall, on or before July 15, 2007, notify in writing each and every justice of the peace, judge, magistrate, administrative judge or officer and chief justice of each and every court or tribunal in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing.

It is further **ORDERED** Respondent shall file with the STATE BAR OF TEXAS, 6300 La Calma, Suite 300, Austin, Texas 78752, on or before July 15, 2007, an affidavit stating Respondent has notified in writing each and every justice of the peace, judge, magistrate, and chief justice of each and every court in which Respondent has any matter pending of the terms of this judgment, the style and cause number of the pending matter(s), and the name, address and telephone number of the client(s) Respondent is representing in Court.

It is further **ORDERED** that, on or before July 15, 2007, Respondent shall surrender his law license and permanent State Bar Card to the STATE BAR OF TEXAS, Chief Disciplinary Counsel, 6300 La Calma, Suite 300, Austin, Texas 78752, to be forwarded to the SUPREME COURT OF TEXAS.

**Restitution, Attorney's Fees and Expenses**

It is further **ORDERED** Respondent shall pay restitution to **DON PECK** in the amount of Two Thousand Six Hundred Seventy-Five and No/100 Dollars (\$2,675.00). Respondent shall pay the restitution by certified or cashier's check or money order made payable to **DON PECK**. The payment shall be submitted to the Chief Disciplinary Counsel's Office, STATE BAR OF TEXAS 600 Jefferson, Suite 1000, Houston, Texas 77002, on or before the date this judgment is presented to the Evidentiary Panel for execution.

It is further **ORDERED** Respondent shall pay all reasonable and necessary attorneys' fees and direct expenses to the STATE BAR OF TEXAS in the total amount of One Thousand One Hundred Fifty-Three and 25/100 Dollars (\$1,153.25). The payment shall be submitted to the Chief Disciplinary Counsel's Office, STATE BAR OF TEXAS, 600 Jefferson, Suite 1000, Houston, Texas 77002, on or before the date this judgment is presented to the Evidentiary Panel for execution.

It is further **ORDERED** that all amounts ordered herein are due to the misconduct of Respondent, are assessed as a part of the sanction in accordance with Rule 1.06(Y) of the TEXAS RULES OF DISCIPLINARY PROCEDURE. Any amount not paid shall accrue interest at the maximum legal rate per annum until paid and the STATE BAR OF TEXAS shall have all writs and other post-judgment remedies against Respondent in order to collect all unpaid amounts.

**Publication**

This suspension shall be made a matter of record and appropriately published in accordance with the TEXAS RULES OF DISCIPLINARY PROCEDURE.

**Other Relief**

All requested relief not expressly granted herein is expressly **DENIED**.

SIGNED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

**EVIDENTIARY PANEL  
DISTRICT NO. 4B3  
STATE BAR OF TEXAS**



**RICHARD DANIELS  
District 4B3 Committee Chair**

**AGREED AS TO BOTH  
FORM AND SUBSTANCE:**

**STATE BAR OF TEXAS**

*Office of the Chief Disciplinary Counsel*

**JOHN A. NEAL**

Chief Disciplinary Counsel



**SHANNON BREAUX SAUCEDA**

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**ATTORNEYS FOR PETITIONER,  
COMMISSION FOR LAWYER DISCIPLINE**

**AGREED AS TO BOTH  
FORM AND SUBSTANCE:**



**JEANETTE DUER**

Attorney at Law

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Phone: (713) 862-6900

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**ATTORNEY FOR RESPONDENT,  
CHARLIE J. DEAN**



**CHARLIE J. DEAN, RESPONDENT**

State Bar No. 00790008

**AGREED JUDGMENT OF ACTIVE SUSPENSION**